

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/556,439	AMICK, JOHN KENNETH	
	<b>Examiner</b>	<b>Art Unit</b>	
	Paul H. Kang	2144	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed June 13, 2008.
2. ☒ The allowed claim(s) is/are 32,34-60 and 62-82.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

/Paul H Kang/  
 Primary Examiner  
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### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. John Kenneth Amick on September 29, 2008.

2. The application has been amended as follows:

- a. Cancel claims 33 and 61.

- b. In claim 32, after "no answer condition;" (at the end of claim 32 on page 5, line 5 of the claims submitted June 13, 2008), insert:

"the configuring of step a) further comprises:

associating at least one numerical address of the at least one virtual network call processing system with the at least one second object, the at least one second object managing interactive communications between the at least one calling party and the at least one virtual network call processing system application during a called party no answer condition, the at least one second object having at least one menu of at least one choice to be selected by the at least one calling party;

the managing of step c) further comprises:

communicating the at least one menu of at least one choice to the at least one calling party at least during the called party no answer condition;

receiving the at least one selection from the at least one calling party upon selection by the at least one calling party;

the at least one virtual network call processing system application managing communications between the at least one calling party and the at least one virtual network call processing system application at least during the called party no answer condition, in accordance with at least one selection received from the at least one calling party.”

c. In claim 60, after “no answer condition” (at the end of claim 60 on page 13, line 7 of the claims submitted June 13, 2008), insert:

“the configuring of step a) further comprises:

associating at least one numerical address of the at least one virtual network call processing system with the at least one second software construct, the at least one second software construct managing interactive communications between the at least one calling party and the at least one virtual network call processing system application during a called party no answer condition, the at least one second software construct having at least one menu of at least one choice to be selected by the at least one calling party;

the managing of step c) further comprises:

communicating the at least one menu of at least one choice to the at least one calling party at least during the called party no answer condition;

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receiving the at least one selection from the at least one calling party upon selection by the at least one calling party;

the at least one virtual network call processing system application managing communications between the at least one calling party and the at least one virtual network call processing system application at least during the called party no answer condition, in accordance with at least one selection received from the at least one calling party.”

- d. In claim 35, line 1, replace “claim 33” with “claim 32”.
- e. In claim 44, line 1, replace “claim 33” with “claim 32”.
- f. In claim 51, line 1, replace “claim 33” with “claim 32”.
- g. In claim 52, line 1, replace “claim 33” with “claim 32”.
- h. In claim 53, line 1, replace “claim 33” with “claim 32”.

### *Conclusion*

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H. Kang whose telephone number is (571) 272-3882. The examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, William Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul H Kang/  
Primary Examiner  
Art Unit 2144